



IFW

PTO/SB/21 (02-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/764,429
Filing Date	January 23, 2004
First Named Inventor	ZDEBLICK, MARK
Art Unit	3762
Examiner Name	Unassigned
Attorney Docket Number	021308-001110US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard
PTO/SB/08A & PTO/SB/08B
66 Reference Copies |
|--|---|--|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
---------	--

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP James M. Heslin Reg. No. 29,541
Signature	
Date	June 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING

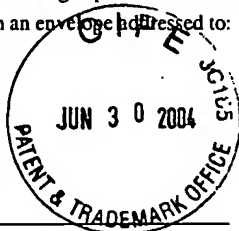
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Edward Masinas		
Signature		Date	June 21, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 021308-001110US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On

6-21-04

TOWNSEND and TOWNSEND and CREW LLP

By:

Edward Masinas

Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZDEBLICK et al.

Application No.: 10/764,429

Filed: January 23, 2004

For: METHOD AND APPARATUS FOR
ENHANCING CARDIAC PACING

Examiner: Unassigned

Art Unit: 3762

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

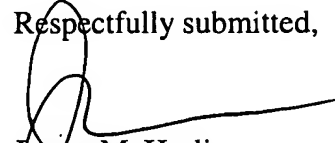
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

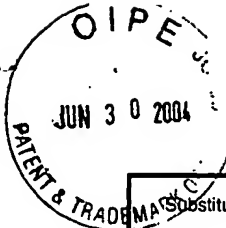
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JMH:ewm
60244260v1



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete If Known		
			Application Number	10/764,429	
			Filing Date	January 23, 2004	
			First Named Inventor	ZDEBLICK, MARK	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	1	of		Attorney Docket Number	021308-001110US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	4,397,314	08-09-1983	Vaguine	4,397,314
	2	4,603,705	08-05-1986	Speicher et al.	4,603,705
	3	4,776,334	10-11-1988	Prionas	4,776,334
	4	4,815,472	03-28-1989	Wise et al.	4,815,472
	5	4,881,410	11-21-1989	Wise et al.	4,881,410
	6	5,113,868	05-19-1992	Wise et al.	5,113,868
	7	5,391,199	02-21-1995	Ben-Haim	5,391,199
	8	5,417,717	05-23-1995	Salo et al.	5,417,717
	9	5,419,767	05-30-1995	Eggers et al.	5,419,767
	10	5,509,411	04-23-1996	Littmann et al.	5,509,411
	11	5,535,752	07-16-1996	Halperin et al.	5,535,752
	12	5,549,650	08-27-1996	Bornzin et al.	5,549,650
	13	5,579,764	12-03-1996	Goldreyer	5,579,764
	14	5,591,142	01-07-1997	Van Erp	5,591,142
	15	5,662,587	09-02-1997	Grundfest et al.	5,662,587
	16	5,683,429	11-04-1997	Mehra	5,683,429
	17	5,720,768	02-24-1998	Verboven-Nelissen	5,720,768
	18	5,743,267	04-28-1998	Nikolic et al.	5,743,267
	19	5,800,465	09-01-1998	Thompson et al.	5,800,465
	20	5,810,735	09-22-1998	Halperin et al.	5,810,735
	21	5,814,089	09-29-1998	Stokes et al.	5,814,089
	22	5,902,234	05-11-1999	Webb	5,902,234
	23	5,902,248	05-11-1999	Millar et al.	5,902,248
	24	5,924,997	07-20-1999	Campbell	5,924,997
	25	5,935,084	08-10-1999	Southworth	5,935,084
	26	6,015,386	01-18-2000	Kensey et al.	6,015,386
	27	6,024,704	02-15-2000	Meador et al.	6,024,704
	28	6,033,398	03-07-2000	Farley et al.	6,033,398
	29	6,078,830	06-20-2000	Levin et al.	6,078,830
	30	6,081,748	06-27-2000	Struble et al.	6,081,748
	31	6,155,267	12-05-2000	Nelson	6,155,267
	32	6,165,135	12-26-2000	Neff	6,165,135
	33	6,171,252	01-09-2001	Roberts	6,171,252
	34	6,206,835	03-27-2001	Spillman, Jr. et al.	6,206,835
	35	6,206,874	03-27-2001	Ubby et al.	6,206,874
	36	6,234,973	05-22-2001	Meador et al.	6,234,973
	37	6,277,078	08-21-2001	Porat et al.	6,277,078
	38	6,287,256	09-11-2001	Park et al.	6,287,256
	39	6,299,582	10-09-2001	Brockway et al.	6,299,582
	40	6,309,350	10-30-2001	Van Tassel et al.	6,309,350
	41	6,309,385	10-30-2001	Simpson	6,309,385
Examiner Signature		Date Considered			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60244260v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/764.429	
			Filing Date	January 23, 2004	
			First Named Inventor	ZDEBLICK, MARK	
			Art Unit	3762	
Examiner Name	Unassigned				
Sheet 2	of		Attorney Docket Number	021308-001110US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	42	6,328,699	12-11-2001	Eigler et al.	6,328,699
	43	6,360,123	03-19-2002	Kimchi et al.	6,360,123
	44	6,438,408	08-20-2002	Mulligan et al.	6,438,408
	45	6,466,820	10-15-2002	Juran et al.	6,466,820
	46	6,496,730	12-17-2002	Kleckner et al.	6,496,730
	47	6,580,946	06-17-2003	Struble	6,580,946
	48	6,611,714	08-26-2003	Mo	6,611,714
	49	6,628,989	09-30-2003	Penner et al.	6,628,989
	50	6,666,826	12-23-2003	Salo et al.	6,666,826
	51	2001/0047138	11-29-2001	Kokate et al.	2001/0047138
	52	2001/0053882	12-20-2001	Haddock et al.	2001/0053882
	53	2002/0026183 A1	02-28-2002	Simpson	2002/0026183 A1
	54	2002/0045921	04-18-2002	Wolinsky et al.	2002/0045921
	55	2002/0077568	06-20-2002	Haddock	2002/0077568
	56	2002/0077673	06-20-2002	Penner et al.	2002/0077673
	57	2002/0095196	07-18-2002	Linberg	2002/0095196
	58	2002/0111560	08-15-2002	Kokate et al.	2002/0111560
	59	2002/0151816	10-17-2002	Rich et al.	2002/0151816
	60	2002/0156417 A1	10-24-2002	Rich et al.	2002/0156417 A1
	61	2002/0161307	10-31-2002	Yu et al.	2002/0161307
	62	2002/0169445	11-14-2002	Jain et al.	2002/0169445
	63	2003/0153952	08-14-2003	Auricchio et al.	2003/0153952

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code* (if known)				
	64	WO	02/065894	A2	08-29-2002	Brockway et al.		<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60244260v1

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/764.429	
			Filing Date	January 23, 2004	
			First Named Inventor	ZDEBLICK, MARK	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	3	of		Attorney Docket Number	021308-001110US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	65	RECEVEUR et al., "Laterally Moving Bi-Stable MEMS DC-Switch for Biomedical Applications," Medtronic Bakken Research Center, The Netherlands (2004), pp. 854-856.	
	66	AURICCHIO et al., "The Pacing Therapies for Congestive Heart Failure (PATH-CHF) Study: Rationale, Design, and Endpoints of a Prospective Randomized Multicenter Study," Am J Cardiol, 1999; 83:130D-135D.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.